

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

MINUTES  
SPECIAL CITY COUNCIL MEETING  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
MONDAY, FEBRUARY 6, 2006  
4:00 P.M.

The City Council met at the above place and date at approximately 4:10 p.m. Mayor John Cook present and presiding and the following Council Members answered roll call:

Ann Morgan Lilly  
Susie Byrd  
Steve Ortega  
Beto O'Rourke

Late Arrivals:

Jose Alexandro Lozano at 4:16 p.m.  
Presi Ortega at 4:32 p.m.

Not Present:

Melina Castro  
Eddie Holguin, Jr.

**AGENDA**

City Council Agenda for February 7, 2006 (attached).

The City Manager, City Department Heads and Staff presented to Council Members short briefings on the agenda items for the City Council Agenda for February 7, 2006, and answered the questions of Council Members.

Motion made by Representative Steve Ortega, seconded by Representative Lilly, and carried to **ADJOURN** this meeting at 4:40 p.m.

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **REVISED**

### **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

---

**Monday, February 6, 2006**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, February 7, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

### **AGENDA FOR REGULAR CITY COUNCIL MEETING**

---

**Tuesday, February 7, 2006**  
**Council Chambers, City Hall**  
**8:00 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:00 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Police Chaplin Carlos Flores

#### **MAYOR'S PROCLAMATIONS**

- 1. CHILDREN'S DENTAL HEALTH MONTH**
- 2. NATIONAL LULAC WEEK**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [http://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](http://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

**CONSENT AGENDA**

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of January 31, 2006.

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

3. **RESOLUTIONS:**

**3A.** That the City Manager be authorized to sign a Surrender of Leasehold Agreement by and between the City of El Paso ("Lessor") and WJN Corporation ("Lessee") covering the premises known as all of Lot 19 and west ½ of Lot 20, Block 4, El Paso International Airport Tracts, Unit 2, El Paso, El Paso County, Texas, municipally known and numbered as 7305 Boeing Drive, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**3B.** That the City Manager be authorized to sign a General Aviation Commercial Ground Lease by and between the City of El Paso ("Lessor") and Chenausky Properties and Investments, LLC ("Lessee") for the following described property: Lot 19 and west ½ of Lot 20, Block 4, El Paso International Airport Tracts, Unit 2, consisting of approximately 30,000 square feet of land, El Paso, El Paso County, Texas, municipally known and numbered as 7305 Boeing Drive, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

**3C.** That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"), 13 Founders Joint Venture ("Assignor") and MAST Partners, L.P. ("Assignee") for the following described property: A portion of Lots 6 and 7, Block 3, Butterfield Trail Industrial Park, Unit

One, Replat "A", El Paso County, Texas, municipally known and numbered as #13 Founders Blvd., El Paso, Texas. **(District 2)**  
[Airport, Patrick T. Abeln, (915) 780-4724]

- 3D.** Resolution establishing JUST COMPENSATION and approving an offer of Just Compensation for properties proposed to be acquired for the Dorbandt Circle Street and Drainage Improvement Project, under the Thirtieth Year (2004-2005) Community Development Program: And authorizing the City Manager to sign contracts of sale, right-of-entry agreements with the respective owners, and any other related documents necessary to effectuate the acquisition of these described properties. The project limits are Dorbandt Circle from Alameda Avenue west to Davis Drive. **(District 7)**  
[Community and Human Development, Robert Gott, 541-4248]

- 3E.** Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code: [Development Services, William Stern, (915) 541-4800]

|  |             |            |
|--|-------------|------------|
| 148-150 N. Brown Street<br>Carlos Escobedo | \$17,369.88 | District 1 |
| 8102 Tigua Circle<br>Guadalupe V. Gomez    | \$1,014.20  | District 7 |
| 2910 Grant Avenue<br>Angel C. Lara         | \$10,901.24 | District 2 |

- 3F.** That the City Manager be authorized to sign a First Amendment to Agreement for Engineering Services between the CITY OF EL PASO and PARKHILL, SMITH & COOPER, INC. for a project known as "Closure of Clint Landfill Permit 1482" for an amount not to exceed One Hundred Forty-Four Thousand Seven Hundred Sixty-Four and No/100 Dollars (\$144,764.00).  
[Engineering Department, Rick Conner, (915) 541-4200]

- 3G.** That the City Manager be authorized to sign a First Amendment to Agreement for Engineering Services between the CITY OF EL PASO and FRANK X. SPENCER & ASSOCIATES, INC. for a project known as "Verdeland Street and Drainage Improvements" for an amount not to exceed Eleven Thousand Seven Hundred Forty-Eight and No/100 Dollars (\$11,748.00). **(District 7)**  
[Engineering Department, Rick Conner, (915) 541-4200]

- 3H.** That the City Manager be authorized to sign an Agreement for Architectural Services between the CITY OF EL PASO and ASCG INCORPORATED OF NEW MEXICO, for a project known as the "Stanton Toll Facility Improvements" in an amount not to exceed TWO HUNDRED FIFTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-SIX and 00/100 DOLLARS (\$257,826.00). **(District 8)**  
[Engineering Department, Rick Conner, (915) 541-4200]

- 3I.** That the Solid Waste liens on the attachment posted with this agenda be approved. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]  
(See attachment A)

- 3J. That the City Manager be authorized to request grant funding under the COG'S Request for Applications of the Regional Solid Waste Grants Program and designate the Environmental Services Director to act on behalf of the City in all matters related to the grant application and any subsequent grant contract and grant project that may result. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3K. That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of DESALINATION PLANT SUPERINTENDENT is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5464. The Grade is PM 80. Salary Range: \$44,814.63 - \$67,597.90 (PM 80) Fund Source: 702-480 and 702-425 [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3L. That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of INSTRUMENTATION CONTROL SUPERINTENDENT is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5460. The Grade is PM 77. Salary Range: \$38,809.67- \$57,415.15 (PM 77) Fund Source: 702-480 and 702-425 [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3M. That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of INSTRUMENTATION CONTROL ASSISTANT SUPERINTENDENT is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5459. The Grade is PM 75. [Human Resources, Linda Ball Thomas, (915) 541-4509] Salary Range: \$35,272.62 - \$51,483.47 (PM 75) Fund Source: 702-480 and 702-425 [Human Resources, Linda Ball Thomas, (915) 541-4509]
- 3N. To approve a Joint Resolution of the El Paso Water Utilities Public Services Board and the City Council of the City of El Paso, Texas to provide for the off-set of the connection fee due for the Esperanza Acosta Moreno Regional Branch Eastside Library from land sales proceeds due to the City" Funding Source – 2000 QOL Bond Program **(District 5)**  
[Perspectiva + 3D/I (P+3), Veronica Harris, (915)-225-3451]
- 4. **REINSTATEMENT(S):** Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:  
  
Nicholas, Edward N. – Police Officer [Police Department, Assistant Chief, Paul Cross, 564-7310]
- 5. **BOARD RE-APPOINTMENTS:**  
  
Oscar Mestas to the Tree Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]
- 6. **BOARD APPOINTMENTS:**
  - 6A. Sofia Ordoñez to Retired and Senior Volunteer Program Advisory Council by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**6B.** David F. Etzold to Brownfields Redevelopment Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

- 7. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]  
That the tax refunds listed on the attachment posted with this agenda be approved.  
(See attachment B)

**8. CHANGE ORDER:**

Approve Change Order No. Forty-four (44) to Silverton Construction Co., Inc., for Contract No. 2004-013, Cleveland Square Park – New History Museum. The amount of this change order represents a change in the original scope of work for this project as this change order incorporates additional security equipment as described in the backup documents to this change order, provided by the Project's Manager Perspectiva + 3D/I. The dollar amount of this change order is \$46,512.00. This change order does not increase contract time. The project scheduled completion date after this change order is 4/24/2006.

The funding source for the work described under this change order is as follows:  
\$46,512.00 from 31130565-PPW0058001-26283-508027.

|                                 |              |
|---------------------------------|--------------|
| New History Museum Contingency: | \$398,570.00 |
| Prior Change Orders:            | \$151,423.98 |
| Proposed Change Order:          | \$ 46,512.00 |
| Remaining Contingency:          | \$200,634.02 |

|  |               |
|--|---------------|
| Location:  | 501 N. Oregon |
| District:  | 8             |
| [Financial Services, Byron E. Johnson, (915) 541-4308] |               |

**9. BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

|                  |          |                                |
|------------------|----------|--------------------------------|
| Solicitation No: | 2006-035 | Westside Health Center         |
| Location:        |          | 5195 Mace St.                  |
| Contractor:      |          | F. T. James Construction, Inc. |
|                  |          | El Paso, Texas                 |

|                            |   |
|----------------------------|---|
| Department:                | Health  |
| Funds Available:           | 71150069-G7130CD0011-07793-508027               |
| Funding Source:            | Community Development Grant B-05-MC-480015-0011 |
| Items:                     | Base Bid \$344,222.00                           |
| Total Award:               | \$344,222.00                                    |
| Estimated Completion Date: | June, 2006                                      |
| District(s):               | 1   |

**RECOMMENDATION:**

The Departments of Engineering and Health recommend the award of this contract to F. T. James Construction, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract in a form approved by the City Attorney's Office.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Financial Services, Byron Johnson, (915) 541-4313]

**10. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No. 2006-031      Paint, Traffic & Airfield Marking, Type II Waterborne  
Award to:                              Ennis Paint, Inc.  
   Ennis, TX  
Item(s):                                All  
Amount:                                \$281,046.75 (estimated)

Department:                        Aviation  
Funds available:                62620003-503121-40101  
Funding source:                Airport Operating Funds  
Total award:                       \$281,046.75 (estimated)  
District (s):                        3

The Department of Aviation and the Financial Services Department-Purchasing Division recommend award as indicated. They are the low, responsive, and responsible bidder meeting specifications.

This is a Twenty-Four (24) month requirements-type Contract for the Department of Aviation Vendor does not offer the City the option of extending the term of the contract. Vendor does not offer a prompt payment discount.

[Financial Services, Enrique Acosta, Jr., (915) 541-4267]

**11. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events. [Development Services, R. Alan Shubert, (915) 541-4560]

Norma Chavez to hold a rally on February 11, 2006 from 11:30 a.m. to 3:00 p.m. Route: Start at the El Paso County Water Improvement District #1 – 294 Candelaria St. going toward Onate Way to S. Old Pueblo, turn left on S. Old Pueblo and finish at Speaking Rock parking lot – 122 S. Old Pueblo. Approximately 1,000 persons will take part and 100 spectators are anticipated. PERMIT # 06-006 [Ali Razavi] **(District 6)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. TX DOT FORM LETTER. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 4 OFFICERS AND 4 VEHICLES. ESTIMATED COST TO CITY: \$450.00. ESTIMATED COST TO APPLICANT: \$150.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

**REGULAR AGENDA****12. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.

- 12A.** An Ordinance granting a Special Privilege to O.P.E.P. Incorporated to temporarily close a portion of Ochoa Street between First Avenue and Paisano Drive for a "Mardi Gras Block Party" on Tuesday, February 28, 2006 and Wednesday, March 1, 2006. (Fee: \$137.50, SP-05030) **(District 8)**  
[Planning, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 21, 2006 FOR ITEMS 12A**

- 12B.** An Ordinance changing the zoning of a portion of Lots 33, 34, and all of Lots 35-38, Parkland Addition (First Supplemental Map), El Paso, El Paso County, Texas From C-3 (Commercial) and C-3/Sc (Commercial/Special Contract) To A-O (Apartment-Office) And A-O/Sc (Apartment-Office/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 10301 Dyer Street. Applicants: MRQ Construction LLC. ZON05-00146 **(District 4)** [Planning, Christina Valles, (915) 541-4930]
- 12C.** An Ordinance changing the zoning of Lots 11-15 and the North ½ of Lot 16, Block 92, Alexander Addition, El Paso, El Paso County, Texas from A-3 (Apartment) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1800 N. Mesa. Applicants: Texas Rim Properties, LLC. ZON05-00152 **(District 1)**  
[Planning, Christina Valles, (915) 541-4930]
- 12D.** An Ordinance changing the zoning of Tracts 11A1 and 11C2, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Ada Lane and Zach Lateral. Applicants: Enrique Escobar and Sal Masoud. ZON05-00147 **(District 1)** [Planning, Christina Valles, (915) 541-4930]
- 12E.** An Ordinance changing the zoning of Parcel 1: A portion of Tract 97A1, S.A. & M.G.R.R. Company Survey No. 267, El Paso, El Paso County, Texas from A-2 (Apartment) To C-4 (Commercial); Parcel 2: A portion of Tract 97A1, S.A. & M.G.R.R. Company Survey No. 267, El Paso, El Paso County, Texas from A-2 (Apartment) To C-3 (Commercial), and imposing certain conditions; Parcel 3: A portion of Tract 97A1, S.A. & M.G.R.R. Company Survey No. 267, El Paso, El Paso County, Texas from A-2 (Apartment) To C-1 (Commercial), and imposing a certain condition; and Parcel 4: A portion of Tract 97A, S.A. & M.G.R.R. Company Survey No. 267, El Paso, El Paso County, Texas from A-2 (Apartment) To C-1 (Commercial), and imposing a certain condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 100-200 Block of Redd Road. Applicants: Sam Phillips. ZON05-00133 **(District 1)**  
[Planning, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 28, 2006 FOR ITEMS 12B – 12E**



Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**13. PUBLIC HEARINGS: MAYOR AND COUNCIL:**

- 13A.** An Ordinance establishing the El Paso Advisory Committee on International Affairs, defining its purpose and duties, providing for its appointment, structure, and terms of office. [Representative Jose Alexandro Lozano, (915) 541-4515]
- 13B.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.44 (Courts); of the City Code by amending Section 2.44.030 (Judges); relating to the terms of office for the substitute associate municipal judges and the selection of appointed judges; and repealing Ordinance No. 12403, which previously set forth the selection procedure; the penalty being as provided in Sections 1.08.010-1.08-030 of the El Paso City Code.  
[City Attorney's Office, Laura Prendergast Gordon, (915) 541-4550]

**14. MAYOR AND COUNCIL:**

- 14A.** Discussion and action on a resolution to set the number of Substitute Associate Municipal Judges and to appoint the following Substitute Associate Municipal Judges for terms expiring on the fourth Tuesday in June 2009 as recommended by the Health and Public Safety Legislative Review Committee:  
[Representative Jose Alexandro Lozano, (915) 541-4515]

David Biagas  
Dave Dolezal  
Susan L. Godwin  
Travis Ketner  
Jorge L. Rivas, Jr.  
Bridget Lovett

- 14B.** Appointment of one of the following individuals to the Public Service Board:  
[Mayor John F. Cook, (915) 541-4145]

- Fermin Acosta
- Alice James-Davis
- David Marquez

- 14C.** Presentation to City Council by El Paso Water Utilities General Manager and URS Corporation, an international community development consulting firm on implementation of the Northeast Master Plan. Information will be presented regarding market and infrastructure analysis, land planning, and developer recruitment for several thousand acres, including proposed development of a retirement community at Painted Dunes. Questions by Council.  
[Mayor John F. Cook, (915) 541-4145]

**14D.** Discussion and action to have the February 10, 2006 through February 12, 2006 Annual Golden Gloves Boxing Tournament at the Carolina Recreational Center co-sponsored by all City Representatives or neighboring City Representatives.  
[Representative Jose Alexandro Lozano, (915) 541-4515]

**14E.** Review and public comment regarding the renaming of the Eastwood Recreation Center to Gary del Palacio Recreation Center.  
[Representative Jose Alexandro Lozano, (915) 541-4515]

**15. DEVELOPMENT SERVICES:**

**15A.** Discussion and action on a Resolution approving a detailed site development plan, for a portion of Tract 3, Section 4, Block 79, TSP 3, T&P Railway Co. Surveys, El Paso, El Paso County, Texas, pursuant to a condition imposed by Ordinance No. 011446. The penalty is as provided for in Chapter 20.68 of The El Paso City Code. Subject Property: 7829 N. Mesa Street. Applicant: Gertrude M. Annabi, Jeffrey H. Annabi, Jennifer Annabi. ZON05-00153 (**District 8**)  
[Planning, Christina Valles, (915) 541-4930]

**15B.** That, pursuant to the provisions of the Texas Water Code and the Texas Local Government Code, the City of El Paso, Texas hereby does not consent to the petition submitted by CSM REALTY HOLDINGS II, LTD. for the creation of the EL PASO COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 in the City of El Paso's Extraterritorial Jurisdiction for the purpose of providing water and wastewater facilities for the lands, which are more fully described in the attached metes and bounds descriptions identified in Exhibit "A" and made a part hereof by reference. (**East Extraterritorial Jurisdiction-Adjacent to District #5**)  
[Development Services-Planning, Rudy Valdez, 541-4635]

**15C.** Discussion and action on Conditional B permit for Tierra Del Este 31 Subdivision. (**District 5**) [Development Services, R. Alan Shubert, (915) 541-4557]

**15D.** Discussion and action on Conditional B permit for Tierra Del Este 34 Subdivision. (**District 5**) [Development Services, R. Alan Shubert, (915) 541-4557]

**15E.** That, pursuant to the provisions of the Texas Local Government Code, the City of El Paso, Texas hereby consents to a reduction in the City of El Paso's extraterritorial jurisdiction of the property described as C.D. Stewart Survey No. 321, El Paso County, Texas, and which is more fully described in the attached metes and bounds descriptions identified as Exhibit "A", and made a part hereof by reference.

Further the City of El Paso does not consent to the City of El Paso's extraterritorial jurisdiction of the property C.D. Stewart Survey No. 320, and a portion of Section 22, Block 79, Township 3, Texas and Pacific Railway Survey, El Paso County, Texas, and which is more fully described in the attached metes and bounds descriptions identified as Exhibit "B", and made a part hereof by reference. (**East Extraterritorial Jurisdiction**) (**All Districts**)  
[Development Services-Planning, Rudy Valdez, 541-4635]

**16. FINANCIAL SERVICES: BEST VALUE PROCUREMENT:**

|                            |          |   |
|----------------------------|----------|---|
| Solicitation No:           | 2006-047 | Citywide Parks Bid Package No. 3 Chelsea & Hawkins Pool |
| Location:                  |          | 819 Chelsea Street / 1500 Hawkins Boulevard             |
| Contractor:                |          | PR Homes, Inc.<br>El Paso, TX                           |
| Department:                |          | Parks & Recreation                                      |
| Funds Available:           |          | 14101001-PQLPA183-60183-508027                          |
| Funding Source:            |          | 2000 Quality of Life Bonds                              |
| Items: Base Bid            |          | \$348,628.00  |
| Alternate #1               |          | \$ 31,483.00  |
| Alternate #2               |          | \$105,817.00  |
| Alternate #3               |          | \$ 64,300.00  |
| Alternate #4               |          | \$ 61,749.00  |
| Alternate #5               |          | \$ 4,800.00   |
| Total Award:               |          | \$616,777.00  |
| Estimated Completion Date: |          | July 2006   |
| District(s):               |          | 2 & 3   |

The Departments of Parks and Recreation and Project Manager Perspectiva+ 3/DI recommend the award of this contract to P. R. Homes, as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract in a form approved by the City Attorney's Office.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Financial Services, Byron E. Johnson, (915) 541-4308]

**17. PUBLIC HEARINGS – ENGINEERING:**

**17A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII, Restriction on Parking in Residential Districts), of The El Paso City Code, to revise Subsection Zone M (No Parking 7:00 A.M. to 4:00 P.M., Monday through Friday, School Days Only) To include the North side of Cosmos Drive Between McRae Blvd. and Catnip Street. The Penalty as Provided In Section 12.84.010 Of The El Paso City Code. **(District 3)** [Engineering Department, Traffic Division, Ted Marquez, 541-4035]

**17B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to amend Subsections H(3) and Subsection I(1), Identifying the Speed Limit on Doniphan Drive between Frontera Road and Paisano and a point 0.25 Miles South of Sunset Road to Frontera Road. The Penalty as Provided in Section 12.84.010 of The El Paso Municipal Code. **(District 8)**  
[Engineering Department, Traffic Division, Ted Marquez, 541-4035]

**17C.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to Delete Subsections U Through X, Z, AA and GG Identifying Temporary Speed Limit Reductions to Construction Line Item Sites In El Paso, El Paso County, Texas. The Penalty as Provided In Section 12.84.010 of The El Paso Municipal Code. **(All Districts )**  
[Engineering Department, Traffic Division, Ted Marquez, 541-4035]

**18. PUBLIC HEARINGS – HUMAN RESOURCES:**

An ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 13, Leave of Absence, Resignation, Sick Leave and Vacations.  
[Human Resources, Linda Ball Thomas, (915) 541-4509]

**19. PUBLIC HEARINGS – PLANNING:**

**19A.** An Ordinance granting a Special Privilege to Texas Tech University Health Sciences Center El Paso permitting the construction, regulation, installation and maintenance of fiber optic telecommunications cable within four (4) one and one-quarter inch (1.25") subsurface conduits along portions of public right-of-way at Reynolds Street, Concepcion Street and Alberta Avenue. *(Annual Fee: \$1,320.00, SP-05027, (District 3)* [Planning, Esther Guerrero, (915) 541-4720]  
**POSTPONED FROM 1/10/06 AND 1/24/06**

**19B.** An Ordinance terminating Ordinance Number 16083 which granted a Special Privilege to the Central Business Association Of El Paso, Inc., to permit temporary sidewalk vending, and granting an exclusive Special Privilege to the El Paso Central Business Association to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso. (SP-05015) **(District 8)** [Planning, Esther Guerrero, (915) 541-4720]

**20. CITY MANAGER:** [City Manager, Joyce A. Wilson, (915) 541-4844]

City Manager's report of current events and issues:

Discussion on follow up action steps to the Urban Land Institute's recommendations:

Building and Zoning Advisory Commission (BIZAC) code recommendations

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

**<http://www.elpasotexas.gov>**

### **Attachment A**

|   |          |   |
|---|----------|---|
| 5012 Meade Court<br>(District 2)          | \$276.04 | Margaret S. Gilcrease                               |
| 5853 Chippendale Avenue<br>(District 4)   | \$281.45 | Northtown Partnership                               |
| 604 Orozco Place<br>(District 6)          | \$113.66 | Wesley and Frie Allan                               |
| 324 Singh Street<br>(District 6)          | \$286.86 | Joe Gutierrez                                       |
| 8632 North Loop Drive<br>(District 7)     | \$259.80 | Yolanda Gonzalez                                    |
| 8531 Van Haselen<br>(District 7)          | \$539.20 | Dora Coronel  |
| 3304 Gateway Blvd. East<br>(District 8)   | \$433.00 | Omega Investments, Inc.                             |
| 1603-1621 Montana Avenue<br>(District 8)  | \$81.19  | Gilbert Malooly, Sr. (TR)                           |
| 1107 Myrtle Avenue<br>(District 8)        | \$400.53 | Octavio Navarro, Octillio Navarro<br>& Luis Navarro |
| 1112 North Stevens Street<br>(District 8) | \$546.66 | Hector Chavez                                       |

## Attachment B

**APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]  
That the tax refunds listed on the attachment posted with this agenda be approved.  
(see attachment)

### TAX REFUNDS

February 7, 2006

ITEM NO. \_\_\_\_\_

- A. Claude D. & Peggy L. Bentz in the amount of \$3,915.53 overpayment of 2005 taxes.  
(PID #C340-999-0180-3700).
- B. Commerce Title Company in the amount of \$2,969.63 overpayment of 2005 taxes.  
(PID # C741-999-0190-4600).
- C. Mills Escrow Company in the amount of \$2,684.44 overpayment of 2005 taxes.  
(PID #D468-000-0020-0400).
- D. Luis H. Eraso in the amount of \$2,673.64 overpayment of 2005 taxes.  
(PID #F609-999-0130-0200).
- E. Landamerica Lawyers Title in the amount of \$5,137.23 overpayment of 2005 taxes.  
(PID #G770-999-0020-1300).
- F. Stewart Title in the amount of \$6,581.86 overpayment of 2005 taxes.  
(PID #M344-999-0050-1500)
- G. Washington Mutual in the amount of \$5,443.81 overpayment of 2005 taxes.  
(PID #N425-999-0330-3900).
- H. First American Title Company in the amount of \$3,835.79 overpayment of 2005 taxes. (PID #P324-999-0450-0100).
- I. Homecomings Financial in the amount of \$2,853.59 overpayment of 2003 taxes.  
(PID #R298-999-0010-2100).
- J. Kevin M. Bang in the amount of \$6,587.82 overpayment of 2005 taxes.  
(PID #R460-999-0140-0100).
- K. Sylvia C. & Johathan E. Valverde in the amount of \$3,670.53 overpayment of 2005 taxes. (PID #S380-999-0020-2400).
- L. Andrea & Mathew Bates in the amount of \$3,434.40 overpayment of 2005 taxes.  
(PID #S380-999-0040-6800).
- M. B & B Consultants in the amount of \$10,761.96 overpayment of 2004 taxes.  
(PID #S462-999-0010-0100).
- N. First Land Title in the amount of \$2,183.45 overpayment of 2005 taxes.  
(PID #S812-999-0010-2700).
- O. First Land Title in the amount of \$1,100.36 overpayment of 2005 taxes.  
(PID #S812-999-0010-2700).

- P. First Land Title in the amount of \$1,039.11 overpayment of 2005 taxes.  
(PID #S812-999-0010-2700).
- Q. Landamerica Lawyers Title of El Paso in the amount of \$2,891.90 overpayment of 2005 taxes. (PID #S812-999-0320-0900).
- R. Landamerica Lawyers Title of El Paso in the amount of \$4,531.92 overpayment of 2005 taxes. (PID #T213-999-0190-6800).
- S. Lone Star Title Company in the amount of \$4,081.51 overpayment of 2005 taxes.  
(PID #T287-999-0380-2000).
- T. Manuel Paredes, Jr. and Carmen in the amount of \$2,762.28 overpayment of 2005 taxes. (PID #T287-999-0840-1400).
- U. Mills Escrow Company in the amount of \$5,000.00 overpayment of 2005 taxes.  
(PID #V861-000-0040-0501).
- V. Pedro Delgado in the amount of \$2,735.70 overpayment of 2005 taxes.  
(PID #V893-999-5580-0700).
- W. Texas United Title, Inc. in the amount of \$2,656.56 overpayment of 2005 taxes.  
(PID #V897-999-0350-2300).
- X. Landamerica Lawyers Title of El Paso in the amount of \$2,885.72 overpayment of 2005 taxes. (PID #V897-999-0820-0700).
- Y. William & Anita Ashe in the amount of \$3,141.91 overpayment of 2005 taxes.  
(PID #V897-999-0960-6300).
- Z. Stewart Title in the amount of \$3,062.54 overpayment of 2005 taxes.  
(PID #W144-999-0200-1700).
- AA. Irwin Mortgage in the amount of \$2,872.36 overpayment of 2004 taxes.  
(PID #W145-999-0760-0240).